



In order to give the citizens of the Downers Grove area an opportunity to meet with federal, state and local officials to discuss the ongoing groundwater issues in your area, we are holding a

Public Meeting

EPA Region 5 Records Ctr.



264489

Date: Monday, February 24, 2003

Time: 2 Sessions – 2:30 to 4:30 p.m. and 6:30 to 8:30 p.m.

Location: Downers Grove Village Hall, 801 Burlington Avenue, Council Chambers

Participants: Village of Downers Grove
U.S. EPA
Illinois Attorney General's Office
DuPage County
Illinois EPA

Format: The federal and state environmental agencies will make formal presentations about the conceptual agreement between the agencies, the IAGO and the Potentially Responsible Party (PRP) group on a settlement approach where that Group would pay the costs of connecting residents in the affected area to the public water supply. An opportunity will then be provided for questions and comments from the public. The facility is handicap accessible.

History: Over the last year and half, the Illinois EPA has been investigating area private wells for the presence of volatile organic compounds. Further investigations by the U.S. EPA and the Illinois EPA in the Ellsworth Industrial Park, just north of the area of contamination, has led to certain companies being named as potential contributors to the groundwater contamination. The U.S. EPA has had the enforcement lead in negotiations with the companies that have stepped forward to address this matter.

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**Summary of Public Meeting about
Tentative Settlement Agreement with PRPs
(on Public Water Supply Connections) re:
the Ellsworth Industrial Park/
Downers Grove Groundwater Investigation Site**

**Downer Grove Village Hall
Monday, February 24, 2003**

Two sessions were held for the Public Meeting: 2:30 to 4:30 p.m. and 6:30 to 8:30 p.m. Approximately 70-75 people attended the afternoon session and 115-120 attended the evening session. State Representatives Patti Bellock and Jim Meyer were in attendance. Rep. Bellock gave remarks. One reporter attended from the Sun Publications *Reporter*. U.S. EPA, Illinois EPA, the Illinois Attorney General's Office, the Village of Downers Grove, DuPage County, the Illinois Department of Public Health and DuPage County Health Department were all represented.

The main issues and concerns expressed at both meetings included the following:

1. Will residents be forced to **abandon and cap their wells** if this agreement materializes? (yes)
2. Will residents be forced to **annex** to Downers Grove to receive the water connections paid for by the PRPs? (no)
3. If I've already signed a **preannexation agreement**, will this be enforced?
4. **How soon** would the service lines be installed in the areas where infrastructure already exists? How soon would the infrastructure be installed in the area north of Maple Street where there are presently no mains?
5. Could I go ahead and get a loan now to get connected to the public water supply due to a need to sell my home or for a health reason and still expect to be covered by the settlement (i.e., receive **reimbursement**)? - or - could residents who already paid to install water connections apply for the low-interest loans with the Village to cover their costs?
6. Will U.S. EPA's **contribution protection** (covenant not to sue) preempt the citizens' suit to recover their costs? Residents also want to be sure that the environmental agencies haven't "negotiated away future health liabilities."
7. What is the specific **geographic area** covered by the connections?
8. Will there be further work to identify and remedy potential **vapor intrusion** into residents' homes? (yes)
9. Will I be protected **if the PRPs default on the loan**? How is the loan payment guaranteed?
10. By giving loans to the Village that are then paid (at two percent interest), isn't the DuPage Water Commission actually subsidizing the PRP's liability on the water contamination?
11. What sort of a lien will residents have against their property? (There should not

- be a lien against the property, according to the Village. Rather, there would be a notification lien attached to the deed regarding a service fee that is paid over, say, ten years to the Village on the bi-monthly water bill).
12. Will each residence receive a "capped" amount? So, if my property sits back 300 feet from the water main while someone else is 100 feet back, will my cost for connection be higher? (No, per the terms of this deal).
 13. Will connections be based on the contamination concentrations at each home? (Only in that the Village and County will attempt to connect first those homes with higher levels of contamination).
 14. How did U.S. EPA identify the polluters? Will more polluters be sought in the future? Residents are aware that other companies may have contributed to the pollution. Will other PRPs be tapped for reimbursement items?
 15. Will existing storage tanks and water softeners in the homes receiving water connections be removed by the County's contractor?
 16. Who will cover which portion of the installation? (The Village will install the B-box to connect in the service line; the County will do the rest).
 17. What does the service fee from the Village amount to, and what does that cover?
 18. How will non-community wells be dealt with, such as the building with condos at 5520 Belmont?
 19. What rates will be charged to the unincorporated area residents who hook up to the public water supply?
 20. Will a portion of the \$450,000 that DuPage County received from a federal grant be used to address this particular TCE problem, and how will it be used?
 21. If homes are within the prescribed plume, will they need to close wells and connect to PWS even though contamination has not so far been detected in their wells?
 22. Will the citizens have a chance to see and comment on the draft agreement between U.S. EPA, Illinois EPA and the PRPs before it is final? (Yes, per Tom Krueger, U.S. EPA, probably toward the end of March).
 23. If the agreement with the PRPs fails, does the County intend to go ahead with the ordinance to force residents to abandon their wells?
 24. The \$1.6 million that the residents end up paying (recapture fee) under this tentative agreement is 27% of the total estimated cost of the connections for the 300 homes with wells. There was general dissatisfaction with having to support that portion of the cost of the water connections.

Carol Fuller
2/25/03